

Congressman Sends Letter to Secretary Regarding DOT Proposed Peanut Ban

Washington, DC – Congressman Sanford D. Bishop, Jr. (GA-2) today sent a letter to Secretary of Transportation, Ray LaHood, urging him to cease the proposed ban of peanuts on airplanes.

Congressman Bishop reminded Secretary LaHood that in 1998, Congress prohibited the Department of Transportation (DOT) from banning peanuts unless justified through a peer-reviewed scientific study, when the DOT first tried to ban peanuts and peanut products on airplanes.

Today, Congressman Bishop also joined a bi-partisan effort led by Congressman Jim Marshall (GA-8) calling on Secretary LaHood to reconsider the proposed peanut ban.

The full text of Congressman Bishop's letter to Secretary LaHood follows:

Dear Secretary LaHood:

I am writing today to express my opposition to the U.S. Department of Transportation's (DOT) call to possibly ban peanuts and peanut products on commercial airlines as part of its proposed regulation "Enhancing Airline Passenger Protections."

As you know, Congress has spoken to this issue in the past, as a result of the DOT proposing a similar effort through an industry advisory letter in 1998. However, it would appear that the approved bill language contained in the Fiscal Year 2000 Transportation Appropriations and Related Agencies bill prohibiting the DOT from further bans on peanuts until a peer-reviewed scientific study justified such a ban, may be still in effect.

Further, I am very concerned that the DOT would focus solely on peanuts in the proposed rule.

Out of the 12 million Americans who suffer from food allergies (1 in 25 people have food allergies) milk is the most common allergen, followed by eggs and then peanuts. Just as important, approximately 30 million Americans are allergic to cats, while 15 million are allergic to dogs. According to the Asthma and Allergy Foundation of America (AAFA), approximately one percent of the U.S. population, or three million Americans, have peanut allergies.

Why doesn't the DOT's proposed rule also ban milk and milk products? Why didn't the rule include a ban eggs or foods containing eggs? Or for that matter, why doesn't the DOT ban the travel of all dogs and cats, particularly within the passenger cabins of commercial planes? While I am certainly not proposing that any of these be included in any future DOT rule, each affects millions more Americans than peanuts!

Just as important is the question of passengers who might wish to enter a plane with peanut products in their possession. Would the proposed ban on peanuts prohibit passengers from bringing peanut products on-board? And as a practical matter, how would such a ban be enforced with respect to passengers? What would be the penalty for a passenger caught with a Snickers Bar on a plane under the proposed rule?

Finally, while I am sensitive to this issue and understand the challenges presented to individuals where exposure to peanuts can potentially cause severe allergic reactions, I do not believe this issue rises to, or meets, the threshold for new Federal regulatory intervention.

Thank you for your attention to this matter, and should you have any questions regarding this matter, do not hesitate to contact me.

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